

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOSE YONUEL LIZ BLANCO, on  
behalf of himself and all other persons  
similarly situated,

Plaintiff,

**ORDER**

Case No. 18-CV-02641 (FB) (JO)

-against-

COMPASS CONSTRUCTION CO. OF  
NEW YORK, INC. and SALVATORE  
GARGANO,

Defendants.

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Appearances:

*For the Plaintiff:*

Michael Samuel  
Samuel & Stein  
38 West 32nd Street  
New York, NY 10001

*For the Defendants:*

Heng Wang  
Heng Wang & Associates, P.C.  
305 Broadway, Suite 1000  
New York, NY 10007

**BLOCK, Senior District Judge:**

On September 25, 2018, Magistrate Judge Orenstein issued a Report and Recommendation (“R&R”) recommending that the settlement in this action be approved. The R&R followed a hearing pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). A favorable *Cheeks* finding was entered as part of the R&R. *See* Dkt. 9/25/2018. The R&R was served electronically

on all parties and advised that objections were due by October 9, 2018. As of the date of this Order, no objections have been filed.

When no party has objected to a Magistrate Judge's report and recommendation, the Court may adopt it without *de novo* review. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985) ("It does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings."). The Court may excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000).

No plain error appears in the R&R. Accordingly, the Court adopts the R&R. The settlement is approved and the Clerk is directed to close the case.

**SO ORDERED.**

/s/ Frederic Block  
FREDERIC BLOCK  
Senior United States District Judge

Brooklyn, New York  
January 8, 2019